

MINUTES
OFF-ROAD VEHICLE (ORV) TRAILS ADVISORY BOARD MEETING
Holiday Inn Lansing South
6820 South Cedar Street
Lansing, Michigan
August 11, 2004

Chairman, Dick Ranney called the meeting of the Off-Road Vehicle Trails Advisory Board to order at 6:35 p.m. on Wednesday, August 11, 2004 in Lansing, Michigan.

Members Present:

Dick Ranney, Chair
Glenn Moll, Vice Chair
Marlia Dielman
Jason Dinsmore

Members Absent:

Under Sheriff Billy E. Spencer for Sheriff Nelson J. Cannon

Staff Present:

Steve Kubisiak, Forest, Mineral and Fire Management (FMFM), Lansing
Richard Kennedy, FMFM, Lansing
Lieutenant Creig Grey, Law Enforcement Division (LED), Lansing
Sergeant Jean Davis, LED, Roscommon
Pete Lundborg, Silver Lake State Park

USDA Forest Service Staff Present:

Rose Ingram, Huron-Manistee National Forest, Cadillac
Scott Haas, Huron-Manistee National Forest, Baldwin

Chairman Ranney announced there are currently two vacant seats on the Board. One seat represents natural resources, conservation or environmental groups; the other seat represents the general public at-large. The general public at-large seat is a neutral position. He said persons interested in serving on the ORV Board should contact Mr. Kubisiak.

Mr. Kubisiak noted that in addition to the current vacancies, two more seats expire on December 31. The Department of Natural Resources (Department) is considering filling all the vacancies at one time after the first of the year.

Minutes

Acknowledged Minutes of the May 12, 2004 ORV Trails Advisory Board Meeting.

Chairman Ranney apologized for not sending the letter to LED that he read at the last meeting, but noted he met with Lt. Grey regarding the direction of the safety education program.

Mr. Moll made a motion, supported by Mr. Dinsmore, to accept the minutes of the May 12, 2004 Off-Road Vehicle Trails Advisory Board Meeting. Motion unanimously carried.

OLD BUSINESS

ORV Plan Update – **Mr. Kubisiak** reported surveys to State Trail Administrators, Law Enforcement Agencies, Road Commissions and Land Managers are complete and have been

mailed. A statistical study of incidents at Silver Lake State Park will be included in the plan. Dr. Nelson, Michigan State University (MSU), will be meeting with Forest Managers on August 26. A meeting with Trail Maintenance Grant Sponsors is set for September 21, and a meeting with Restoration Grant Sponsors will be held on September 16. The Department is considering a series of public input meetings in early October to receive public input prior to writing the plan.

Mr. Ranney referenced the ORV user survey completed by MSU in 2000, and noted increasing use and trend shifts from motorcycles to all-terrain vehicles (ATVs). He noted larger ATVs are being produced that may have implications on trail maintenance standards that should be addressed in the ORV plan. He also noted the need for accurate accident data and believes there is a need for new trails. He believes the trails are being damaged due to concentrated use and that the Department should consider establishing new trails, and closing and restoring worn-out trails. Discussion ensued.

Mr. Moll made a motion, supported by Mr. Dinsmore, recommending the Department implement a pilot project whereby the Department would close a worn-out trail segment, restore it and replace it with new trail. The restored trail would be monitored to evaluate the effectiveness of the restoration efforts. Motion unanimously carried.

Hiring Update – **Mr. Kubisiak** reported that offers have been made and accepted for the two vacant Trail Analyst positions. Paige Perry will start on August 16, in Gaylord. The other position is expected to be filled by Katie Campbell, on September 12 in Cadillac.

ORV Safety Education Program Update - **Lieutenant Creig Grey** reported the training curriculum and course materials are complete. Staff conducted eight Safety Instructor Meetings around the state. Two hundred Sheriff Deputies have been certified to provide training. The Department expects to train 2,700 students by the end of the year. Grant applications were sent out in late May. Nineteen applications were received and eight have been signed. The Department is conducting Instructor background checks to assure safety of the students.

Chairman Ranney questioned if the hands-on portion of the training curriculum has been eliminated. **Lt. Grey** answered that is not necessarily true. Discussion ensued.

Ms. Dielman asked if the Board members could receive a copy of the training manual. **Lt Grey** said he would send the Board a copy.

NEW BUSINESS

Gladwin Trail Update – **Mr. Kubisiak** reported that staff from the Gladwin Management Unit completed a damage assessment on the trail. The north and middle loops north of M-61 are currently closed. The South loop remains open. He distributed a map illustrating 10 sites along the trail that need work before the trail can be reopened, and noted the locations coincide with the improvements recommended in the spending plan presented at the May meeting. Unit staff is working with the Cycle Conservation Club to repair damaged boardwalks. Three projects are currently out to bid and expected to be complete in October. Once these projects are done the middle loop and ORV route will be reopened. Further review of the north loop is needed to determine when it will be reopened.

Chairman Ranney said that the message coming out of the Gladwin Management Unit is that the trail is going to remain closed. **Mr. Kubisiak** stated that may be the opinion of some unit staff and does not necessarily reflect the Department's position. Any decision regarding a permanent closure of a designated ORV trail would have to go through a review by the management team and Director.

Mr. Kubisiak said the Department recognizes the importance of the Gladwin Trail and that is why it was a component of the spending plan presented at the May meeting.

Ms. Dielman asked if the Board members could receive a copy of the cost estimates. **Mr. Kubisiak** said he would send the Board a copy.

Hiawatha National Forest Trail Proposal – **Rose Ingram**, **Huron-Manistee National Forest** distributed a map and read a statement from the Hiawatha National Forest, requesting the Department to designate the Haywire and Coalwood grades as part of the State Designated ORV Trail System. **Ms. Ingram** noted that Anne Okonek will make a presentation to the Snowmobile Advisory Committee (SAC) at their September meeting, for their input. Discussion ensued.

Mr. Moll said the grades get a lot of ORV use and ATV riders seem to want point-to-point riding opportunities, but there are a number of philosophical questions that must be addressed. He asked if local Department staff support the proposal. He said it is important for the Forest Service to communicate with local Department staff regarding the proposed designation of the segments located on State Forest lands.

Mr. Dinsmore questioned impacts this proposal would have on the Forest Service's national direction concerning the designation of off-highway vehicle trails on National Forest lands.

Mr. Moll made a motion, supported by Mr. Dinsmore, to table making a recommendation regarding the Forest Service's request for the Department to designate the Haywire and Coalwood grades as part of the State Designated ORV Trail System, until the November meeting. Motion unanimously carried.

Bull Gap Trail Grading – **Mr. Ranney** said that the Mio Ranger District received an ORV grant to purchase a tractor and rack to grade the Bull Gap trails. He said he has received complaints that the trail has been straightened in some locations, and that the trails are now too smooth for increasing speeds and have potential for injury.

Ms. Ingram thanked Mr. Ranney for the feedback and said she would follow-up with the District Ranger. **Mr. Ranney** offered to help in anyway he can.

STAFF REPORTS

FOREST, MINERAL AND FIRE MANAGEMENT

Motorized Trail Sign Standards - **Mr. Kubisiak** reported trail staff met with Michigan Department of Transportation (MDOT) officials to initiate a critical review of the motorized trail signing standards. The sign standards are being edited to clarify how and when signs should be used, with an eye toward eliminating unnecessary signs. He noted the ultimate goal is to establish one standard for the motorized trail programs. **Mr. Kubisiak** requested the ORV Trails Advisory Board and Trail Maintenance Sponsors provide him with their comments on the existing standards and their thoughts on signs that should be considered for elimination. He said the Department hopes to have draft standards available for review later this fall. In the meantime the existing standards will be used.

Emergency Trail Marking -- **Mr. Kubisiak** reported emergency trail marking is a recent topic of interest, supported by County Government resolutions encouraging the Department to sign trails with location signs for faster emergency response. The Department is responsible for over

10,000 miles of motorized trails statewide, and the consistent application of a statewide standard and the obligation to maintain this signage system are challenges that must be carefully considered. He noted the SAC has a subcommittee reviewing the topic and suggested the ORV Board appoint a representative to work with the subcommittee. Discussion ensued.

Ms. Dielman made a motion, supported by Mr. Moll, to appoint Mr. Dinsmore to represent the ORV Trails Advisory Board and work with the SAC subcommittee on the topic of emergency trail marking.

Law Enforcement – No report. **Mr. Ranney** asked Lt. Grey what the definition of visual supervision is. **Lt. Grey** referenced the Michigan Off-Road Vehicle Guide saying visual supervision is defined as “having direct observation with the unaided eye and the ability to come to immediate aid of another ORV operator”. Discussion ensued.

USDA Forest Service – **Rose Ingram** reported the Holton-Horseshoe Motorcycle Trail Proposal has gone through the appeals process with no change. The Holton trail is expected to be opened August 14, 2004. The 56th Street Snowmobile Trail relocation project is out for public comment. This project would occur in Section 10 and 11 of Lake Township, Lake County, Michigan. She noted the reroute proposal would impact the Michigan Cross-County Cycle Trail and encouraged interested persons to comment. Public comments will be accepted until September 13, 2004.

PUBLIC APPEARANCE

Thomas Dunn, American Motorcyclist Association (AMA), District 14, Enduro Co-Chairman announced the 79th annual Jack Pine Enduro, Sunday August 22, and the 28th annual Pinecone Enduro on Saturday August 21. He thanked the Department for their cooperation in permitting this event and added there should be a training course held after the Pinecone event on Saturday. He said that he still has some questions regarding the specifics of the training program and said he was ticketed because his son did not have a training certificate. He plans to contest the citation because he believes there is not a sufficient training program currently in place. He said he is looking into becoming a trainer. He believes ORV dealers are not informing customers about the training requirements because it may result in a lost sale. He expressed concerns with health insurance portability loop holes, and said insurance coverage could be denied if someone has an accident on the trail because they are considered a hazardous risk. He thanked the Board. **Mr. Ranney** thanked Mr. Dunn.

Bill Gilbert, Michigan ATV Safety Association (MASA), Burton questioned Lt. Grey about the number of newly certified trainers and the number of students expected to be trained this year. He questioned the process used to certify the instructors. He asked Lt. Grey if he was aware of the administrative rules and believes the new trainer certification and training curriculum is in violation of those rules. He is critical of the Department’s handling of the ORV safety training program.

John Stears, Vicksburg said he is a private citizen not affiliated with any club. He spoke of his experience with the boating safety program and expressed concerns with testing procedures. He believes the instructors pass students too easily, and push them through the system. He does not want this to happen with the ORV training program. He does not believe there is an avenue for average ORV users to be heard.

Ted Del Solar, Westmont, Illinois said that problems brought up over four years ago, and again last September is still not resolved. He said he believes the legislature needs to rebuild

the Department and make the Director responsible to the public. He believes employees must be accountable and fired if they do not obey an order. **Mr. Ranney** thanked Mr. Del Solar.

Tom Craig, ATV Off-Road Club of Michigan, Warren said a member of his club contacted the instructor in the Bay City-Saginaw area regarding training and was told the course would be four hours long, and he did not need to bring his ATV. He referred to the administrative rules and said the course should be no less than seven hours long, and should include a riding test. He believes the Department's program violates the administrative rules. **Mr. Ranney** said this topic is on the Natural Resources Commission (NRC) agenda the next day. **Mr. Craig** requested a copy of the training manual.

Steve Gradowski, Freeland thanked the Board for their motion concerning new trails, and believes ATV riders have lost thousands of miles of riding opportunity and are forced to ride just a few trails. He inquired on the status of the sign upgrade project that was part of the spending plan presented at the May meeting. **Mr. Kubisiak** said this proposal was prepared at the request of the budget office and would be phased-in over the next several years, if the request is approved.

Paul Mulder, Great Lakes Four Wheel Drive Association, Harrison referenced the sign study that was done a few years ago and noted a law suit that was lost by a club involving trail signing. He referenced the Manual on Uniform Traffic Control Devices (MUTCD) and said it is based on engineering study and backed by law. He believes the Department should adopt the MUTCD as a standard for signing motorized trails.

Bill Chapin, Cycle Conservation Club of Michigan, Rives Junction asked if the Department is going to follow the MUTCD as the basis for motorized trail signing. **Mr. Kubisiak** said the existing Department sign manual, and current motorized trail signing standards are based on the principles of the MUTCD. **Mr. Chapin** believes that if the sign program is based on the MUTCD then you can disregard the notion of less signing. He believes the MUTCD is inappropriate for trail signing and that a separate standard based on engineering study should be used. **Mr. Ranney** said he agreed with Mr. Chapin.

Ms. Dielman announced that if the public has information they would like to share with the Board they should provide it in writing so they can begin to establish files on issues for future reference.

Mr. Ranney noted the NRC will be hearing public comment on the ORV Safety Education Program at their next meeting and encouraged interested people to attend. **Mr. Dinsmore** noted the meeting is at the Lansing Center and public appearance begins at 4:30.

Mr. Moll said he is concerned with what seems to be an adversarial relationship between this Board and the Department. He said he is not fond of that kind of atmosphere and does not believe it is productive. He said he comes from an industry background where a lot of demanding decisions were made, but that there was a common goal and respect for others that he is not seeing here. He said this needs work.

Mr. Kubisiak said that if the public wishes to comment on agenda items in writing they can send it to him, or email kubisias@mi.gov, and he would forward it to the Board.

The meeting adjourned at 8:40 p.m.

Next Meeting

November 10, 2004, Lansing Holiday Inn-South, 6820 South Cedar Street, Lansing, Michigan

Public Present:

Terry Grost, Rustbelt 4X4 Trailriders Association
Steve Gradowski, Great Lakes 4 Wheel Drive Association (GLFWDA)
Paul Mulder, GLFWDA
Pat Kinne, GLFWDA
Melanie Rice, GLFWDA
Bill Gilbert, Michigan ATV Safety Association
John Stears, Vicksburg
Tom Craig, ATV Off Road Club of Michigan
Hal Folk, Cycle Conservation Club (CCC)
Greg Yager, CCC
Bill Chapin, CCC
Tom Gallagher, Michigan Recreation Vehicle Riders Association
Chris Carr, Independent Jeepers
Bruce Menning, GLFWDA
Ted Del Solar, Penton Owners Group
Thomas Dunn, AMA District 14 Enduro Co-Chairman